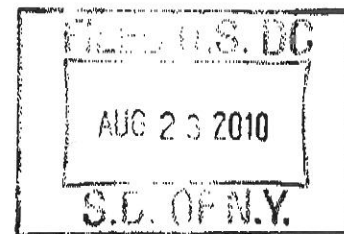


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



Master File No. 04 CV 1773 (DAB)

In re American Express Financial Advisors
Securities Litigation

ECF Case

Notice of Appeal

Notice is hereby given that John Beland and Elaine Beland, jointly, and John Beland as Trustee of the Floyd and Hazel Pester Charitable Remainder Unitrust, respondents in the above-named case, hereby appeal to the United States Court of Appeals for the Second Circuit, Circuit from the order denying their motion for limited discovery and granting the motion of Defendant, American Express Financial Advisors, to enforce a Class Settlement, entered in this action on the 11th day of August, 2010, and the orders denying the Belands' motions to reconsider and to stay execution, entered in the 23rd day of August, 2010. Copies of the Orders are attached hereto as Exhibits A and B.

The parties to the appeal are

Petitioner: Ameriprise Financial, Inc.,
f/k/a American Express Financial Advisors, Inc.

Represented by: David W. Bowker
Wilmer Cutler Pickering Hale and Dorr, LLP
1875 Pennsylvania Avenue, NW
Washington DC 20006

Respondents: John Beland and Elaine Beland, jointly, and John Beland as Trustee of the
Floyd and Hazel Pester Charitable Remainder Unitrust

Represented by: Robert P. O'Neill and David A. Genelly
John Hyland James E. Judge
Sherry & O'Neill Vanasco Genelly & Miller
305 Madison Avenue 33 N. LaSalle St., Suite 2200
New York, NY 10065 Chicago IL 60602

Respectfully submitted,

John Beland and Elaine Beland, jointly, and
John Beland as Trustee of the Floyd and
Hazel Pester Charitable Remainder Unitrust,

By: James E. Judge
James E. Judge (pro hac vice)
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CERTIFICATE OF SERVICE

The undersigned, an attorney, states he served a copy of the foregoing Notice of Appeal, upon:

David W. Bowker
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via e-mail and First-Class U.S. Mail on August 23, 2010.

S/James E. Judge
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James E. Judge
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